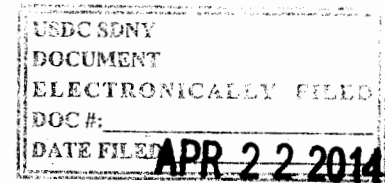




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April 17, 2014

The Honorable J. Paul Oetken
United States District Judge
Southern District of New York
40 Foley Square, Room 2101
New York, NY 10007



Re: *Georges et al. v. United Nations et al.*, 1:13-cv-07146-JPO

Dear Judge Oetken:

Pursuant to Rule 1(A) of Your Individual Rules of Practice in Civil Cases, Plaintiffs in the above-titled action respectfully submit this letter motion requesting that the Court enter an order as proposed below regarding third-party motions for leave to file *amicus curiae* briefs in support of Plaintiffs' Opposition to the Statement of Interest filed by the United States Government ("Government") on March 7, 2014.

Plaintiffs filed this case on October 9, 2013, against the United Nations ("UN"), the United Nations Stabilization Mission in Haiti ("MINUSTAH"), UN Secretary-General Ban Ki-Moon ("Ban"), and former Head of MINUSTAH Edmond Mulet ("Mulet") (collectively, "Defendants"), seeking to redress harms arising out of the on-going cholera epidemic in Haiti. After numerous attempts to serve Defendants, on February 4, 2014, Plaintiffs filed certificates of service of process on Defendants MINUSTAH, Ban, and Mulet; and also filed a Motion for Affirmation that Service Has Been Made [on Defendant UN] or, in the Alternative, for Service of Process by Alternate Means and to Extend the Time to Effectuate Service (Dkt. No. 4). Pursuant to the Court's Order of February 7, 2014 inviting it "to file a letter expressing the view of the United States on this motion" (Dkt. No. 11), the Government filed a Statement of Interest in which it raised a number of issues not addressed in Plaintiffs' Motion, including that service on all Defendants was ineffective and that Defendants are immune from suit. In addition, the Government argued that this Court "lacks subject matter jurisdiction over this matter, and this action should be dismissed." (Dkt. No. 21, at 1.) Per this Court's Order of March 20, 2014, Plaintiffs' Opposition to the Government's Statement of Interest is due May 15, 2014. (Dkt. No. 27.)

Plaintiffs' counsel is currently aware of interested third parties that wish to file *amicus* briefs in support of Plaintiffs' Opposition to the Government's Statement of Interest. The Government's Statement of Interest raises matters of public importance and complex questions of international law, including those related to Defendants' immunity from process and suit. Plaintiffs believe that the interested third parties, who include experts in various fields of law relevant to questions raised by the Statement of Interest, may assist this Court in responding to the Statement of Interest in a fair and fully informed manner.

Consistent with this Court's Order of February 11, 2014 instructing that it would entertain motions from potential *amici* in accordance with procedures analogous to those in Rule 29 of the Federal Rules of Appellate Procedure (Dkt. No. 12, at 1), Plaintiffs respectfully request that the Court enter an order as follows:

- Motions for leave to file an *amicus curiae* brief in support of Plaintiffs' Opposition to the Government's Statement of Interest may be filed on or before May 15, 2014, and any such motions shall be accompanied by the proposed brief, a statement of the movant's interest in the case, and a statement of reasons why it would be desirable for the Court to consider the brief before resolving Plaintiff's motion;
- Analogizing to Fed. R. App. P. 29(d), the *amicus* briefs shall be limited to twelve pages in length¹; and
- Defendants may file an opposition to any motions for leave to file such briefs on or before May 22, 2014.

We thank the Court for its consideration of these matters.

Respectfully,

/s/: Beatrice Lindstrom

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¹ Fed. R. App. Proc. 29(d) provides: "Except by the court's permission, an amicus brief may be no more than one-half the maximum length authorized by these rules for a party's principal brief. If the court grants a party permission to file a longer brief, that extension does not affect the length of an amicus brief." Rule 2(C) of Your Individual Rules of Practice in Civil Cases provides that "[m]emoranda of law in support of ... motions are limited to 25 pages."

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